

### REMARKS

This application was originally filed on 21 December 1999 with ten claims, three of which were written in independent form. No claims have been allowed. Claim 10 was amended on 21 February 2002. Claims 11-13 were added on 17 June 2003. Claim 1 was amended on 22 March 2004. Claim 7 has been amended to broaden the claim by reciting "at least three colors" and to describe the operation of the claimed color modulator. Claim 10 has been amended to broaden the claim by reciting "at least three colors." Claim 11 has been amended in a non-narrowing manner to depend from Claim 7. Claim 12 has been amended to recast it in independent form and to broaden the scope of Claim 12. Claim 13 has been amended to depend from Claim 12.

Claims 7-9 and 11-13 were rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Publication No. 10221710 to Taketo *et al.* ("Taketo").

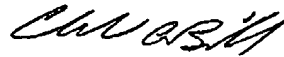
The present application claims priority from U.S. Provisional Patent Application No. 60/114,562 filed 31 December 1998. As Taketo was published on 21 August 1998, it does not qualify as prior art under 35 U.S.C. § 102(b). The Examiner's rejection of Claims 7-9 and 11-13 is therefore improper and should be withdrawn.

For the reasons stated above, the Examiner has not met the burden of presenting a prima facie case of obviousness. Therefore, the rejection under 35 U.S.C. § 103(a) is defective and should be withdrawn.

In view of the amendments and the remarks presented herewith, it is believed that the claims currently in the application accord with the requirements of 35 U.S.C. § 112 and are allowable over the prior art of record. Therefore, it is urged that the pending claims are in

condition for allowance. Reconsideration of the present application is respectfully requested.

Respectfully submitted,



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